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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10 ARCH INSURANCE COMPANY,

11 Plaintiff,

12 v.

13 SCOTTSDALE INSURANCE COMPANY, a
foreign corporation; and NORTHWEST
14 TOWER CRANE, a Washington corporation,

15 Defendants.

NO. C09-0602 RSM

DECLARATION OF JAY R. SEVER
IN SUPPORT OF SCOTTSDALE
INSURANCE COMPANY'S MOTION
FOR PARTIAL SUMMARY
JUDGMENT

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17 I, Jay R. Sever, do hereby declare:

18 1. I am over eighteen years of age. I have personal knowledge of the matters set forth
19 herein and I am otherwise competent to testify to these matters.

20 2. I am a partner in the law firm Phelps Dunbar LLP and represent Scottsdale Insurance
21 Company ("Scottsdale") as counsel of record in this matter.

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DECLARATION OF JAY R. SEVER IN SUPPORT OF
SCOTTSDALE INSURANCE COMPANY'S MOTION FOR
PARTIAL SUMMARY JUDGMENT (Cause No. C09-0602
RSM) – Page 1
PD.4044930.1

PHELPS DUNBAR LLP
365 CANAL STREET, SUITE 2000
NEW ORLEANS, LA 70130
P: (504) 566-1311 F: (504) 568-9130

1 3. Attached as identified exhibits hereto are true and correct copies of the following:

2 Exhibit Number	Description of Document
3 A	Complaints filed in underlying matters (<i>in globo</i>): (1) <i>Kathleen Gaberson and Larry Ammon, et al. v. Lease Crutcher Lewis, et al.</i> , Superior Court of Washington for King County, Case No. 07-2-32215-9 SEA; (2) <i>Plaza 305, L.L.C. v. Lease Crutcher Lewis, et al.</i> , Superior Court of Washington for King County, Case No. 07-2-33136-1 SEA; (3) <i>Brickman Civica LLC v. Lease Crutcher Lewis, et al.</i> , Superior Court of Washington for King County, Case No. 07-2-38868-1 SEA; (4) <i>Intelligent Results, Inc. v. Lease Crutcher Lewis, et al.</i> , Superior Court of Washington for King County, Case No. 07-2-39334-0 SEA; and (5) <i>BRE Properties v. Lease Crutcher Lewis, et al.</i> , Superior Court of Washington for King County, Case No. 08-2-14232-9 SEA.
10 B	Subcontract between Lease Crutcher Lewis and Northwest Tower Crane Service, Inc., Bates Nos. ARCH 006 – 00229 through ARCH 006 – 00266.
12 C	E-mail dated May 11, 2007 from Elaine M. Fischer, Washington State Department of Labor and Industries (“L & I”) to Matthew G. Knopp, Peterson Young Putra enclosing L & I’s Enforcement Case File Information, Bates Nos. ARCH 000714 through ARCH000732
15 D	<i>In Re Tower Crane Collapse</i> , Superior Court of Washington for King County Case No.07-2-33136-1 SEA, Order Granting Motion to Consolidate Pretrial Matters to Individual Judge
17 E	Third-Party Complaints and Cross-Claims filed by Lease Crutcher Lewis (<i>in globo</i>): (1) <i>Plaza 305, L.L.C. v. Lease Crutcher Lewis, et al.</i> , Superior Court of Washington for King County, Case No. 07-2-33136-1 SEA; and (2) <i>Intelligent Results, Inc. v. Lease Crutcher Lewis, et al.</i> , Superior Court of Washington for King County, Case No. 07-2-39334-0 SEA
20 F	Scottsdale Policy No.BCS0013732, Bates Nos. SIC – MED 00001 through SIC – MED 00074
21 G	<i>In Re Tower Crane Collapse</i> , Superior Court of Washington for King County Case No.07-2-33136-1 SEA, Order Granting Northwest Tower Crane’s Motion for Reconsideration and Renewed Motion for Summary Judgment
24 H	Arch Insurance Company’s “List Claim Payments” purporting to represent amounts paid to, or on behalf of, Lease Crutcher Lewis.
25 I	December 16, 2008 letter from John W. Roddy, Bullard, Brown & Beal, LLP to Scottsdale Insurance Company re: Crane Collapse

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DECLARATION OF JAY R. SEVER IN SUPPORT OF
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NEW ORLEANS, LA 70130
P: (504) 566-1311 F: (504) 568-9130

1		Cases – Various Lawsuits v. Lease Crutcher Lewis - Additional
2	J	Insured Tender to Scottsdale Insurance Company
3		Arch Policy No. 71PKG2106802, Bates Nos. ARCH 006 – 00027 through ARCH 006 – 00166

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5 4. I declare under penalty of perjury that the foregoing is true and correct.

6 Signed this 6th day of July, 2010.

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8
9 s/ Jay R. Sever
10 Jay R. Sever
11 Phelps Dunbar LLC
12 Canal Place
13 365 Canal Street, Suite 2000
14 New Orleans , LA 70130-6534
15 Direct: (504) 584-9271
16 severj@phelps.com
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 6th 2010, the foregoing Declaration of Jay R. Sever in Support of Scottsdale Insurance Company's Motion for Partial Summary Judgment was filed electronically, with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to counsel of record.

/s/ Jay R. Sever

Jay R. Sever, *Pro Hac Vice*
Pablo Gonzalez, *Pro Hac Vice*
365 Canal Street, Suite 2000
New Orleans, LA 70130-6534
Telephone: (504) 566-1311
Facsimile: (504) 568-9130 or 9007
Email: severj@phelps.com
pablo.gonzalez@phelps.com